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Counsel for Weneta M.A. Kosmala, Chapter 7 Trustee for
The Tulying Company, Inc.

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

Case No.: 8:14-bk-11492-ES

THE TULVING COMPANY, INC., a
California corporation,

Chapter 11

Debtor

**DECLARATION OF LINDA F. CANTOR RE:
NON-RECEIPT OF OVERBIDS FOR SALE OF
REMNANT ASSETS**

[RELATES TO DOCKET NO. 752]

[No Further Hearing Required]

Honorable Erithe A. Smith

I, Linda F. Cantor, declare as follows:

1. I am an attorney duly admitted to practice in the State of California and before this Court. I am a partner with Pachulski Stang Ziehl & Jones, LLP, counsel to Weneta M.A. Kosmala, Chapter 7 Trustee (“Trustee”) in the above-captioned case.

2. Except as otherwise stated herein, all facts set forth in this Declaration are based on my personal knowledge. If I were called to testify thereto, I could and would competently do so.

3. Pursuant to that certain *Notice of Modification of Bidding Procedures Relating to Chapter 7 Trustee's Proposed Sale of Certain Assets of the Debtor's Estate* filed on June 8, 2018 [Dkt. No. 752], modifying the bidding procedures under the Trustee's motion to sell certain

1 Remnant Assets to Oak Point Partners, LLC¹, parties were notified that the Trustee would accept
2 overbids for the purchase of the Remnant Assets no later than June 22, 2018 at 4:00 p.m. Pacific
3 Time (the “Overbid Deadline”), with an initial overbid in the amount of at least \$9,375.00. Parties
4 were also notified that the Court may approve the sale of the Remnant Assets to Oak Point Partners,
5 LLC if no qualified bids for the purchase of the Remnant Assets are received.

6 4. The Overbid Deadline has now passed and no overbids for the purchase of the
7 Remnant Assets have been received.

8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct.

10 Executed this 22nd day of June, 2018 in Los Angeles, California



11 Linda F. Cantor
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28 ¹ See Notice of Motion and Motion of Chapter 7 Trustee for Order Authorizing Sale of Certain Assets of the Debtor’s
Estate Free and Clear of Liens, Claims, Interests and Encumbrances and Related Relief; Memorandum of Points and
Authorities; and Declaration of Weneta M.A. Kosmala in Support Thereof [Dkt. No. 743].

1 PROOF OF SERVICE OF DOCUMENT

2 I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business
3 address is: **10100 Santa Monica Blvd., 13th Floor, Los Angeles, CA 90067**

4 A true and correct copy of the foregoing document entitled **DECLARATION OF LINDA F. CANTOR**
5 **RE: NON-RECEIPT OF OVERBIDS FOR SALE OF REMNANT ASSETS** will be served or was
served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the
manner stated below:

6 **1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling
7 General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the
document. On June 22, 2018, I checked the CM/ECF docket for this bankruptcy case or adversary
8 proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF
transmission at the email addresses stated below:

9 Service information continued on attached page

10 **2. SERVED BY UNITED STATES MAIL:**

11 On June 22, 2018, I served the following persons and/or entities at the last known addresses in this
bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in
12 the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here
constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document
is filed.

13 Service information continued on attached page

14 **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL**
(state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on June 22,
15 2018, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those
16 who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing
the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be
17 completed no later than 24 hours after the document is filed.

18 *Via Federal Express*

19 The Honorable Erithe A. Smith
United States Bankruptcy Court
Central District of California
20 Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5040
21 Santa Ana, CA 92701-4593

22 Service information continued on attached page

23 I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

24 June 22, 2018

Date

25 Janice G. Washington

Printed Name

26 /s/Janice G. Washington

Signature

1 **1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

2 Michael R Adele on behalf of Defendant
3 Armen Haig Gugasian
4 techlitcenter@yahoo.com, kadele@wgllp.com

david.gibbs@gibbslaw.com,
ecf@gibbslaw.com

5 Michael R Adele on behalf of Defendant
6 Levon Gugasian
7 techlitcenter@yahoo.com, kadele@wgllp.com

Nancy S Goldenberg on behalf of U.S. Trustee
United States Trustee (SA)
nancy.goldenberg@usdoj.gov

8 Wesley H Avery on behalf of Consumer
9 Privacy Ombudsman Wesley H Avery
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10 Candice Bryner on behalf of Creditor
11 Giuseppe Minuti
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James KT Hunter on behalf of Plaintiff R.
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13 Candice Bryner on behalf of Interested Party
14 Candice Bryner
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James KT Hunter on behalf of Plaintiff R.
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15 Philip Burkhardt on behalf of Other
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18 Stephen L Burton on behalf of Attorney
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21 Weneta M Kosmala (TR)
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22 Frank Cadigan on behalf of U.S. Trustee
United States Trustee (SA)
frank.cadigan@usdoj.gov

23 Nanette D Sanders on behalf of Creditor
Levon Gugasian
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24 Linda F Cantor, ESQ on behalf of Other
25 Professional Pachulski Stang Ziehl & Jones
26 LLP
27 lcantor@pszjlaw.com, lcantor@pszjlaw.com

28 Richard C Spencer on behalf of Interested
Party Courtesy NEF
rspencer@rspencerlaw.com

29 David L Gibbs on behalf of Creditor Kenneth
30 W Stach

31 United States Trustee (SA)
32 ustpregion16.sa.ecf@usdoj.gov

1 2. **SERVED BY UNITED STATES MAIL:**

2 Chapter 7 Trustee

3 Weneta M.A. Kosmala
3 MacArthur Place, Suite 760
4 Santa Ana, CA 92707

5 Attorneys for Debtor

6 James F. Wyatt, III
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7 435 East Morehead Street
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8 Laurence P Nokes on behalf of Interested Party John Frankel

9 Nokes & Quinn
10 410 Broadway St Ste 200
Laguna Beach, CA 92651

11 Brent Murdoch

12 Murdoch & Morris, LLP
114 Pacifica, Ste. 320
13 Irvine, CA 92618

14 Interested Party

15 Frye & Hsieh
Douglas J Frye Esquire
16 24955 Pacific Coast Highway # A201
Malibu, CA 90265

17 Counsel for Creditor Levon Gugasian

18 Nanette D. Sanders, Esq.
Ringstad & Sanders LLP
19 2030 Main Street, Suite 1600
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21 Benjamin Bain-Creed

22 Assistant United States Attorney
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25 Sharon Kopman

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